

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, TYLER MAGILL, APRIL  
MUNIZ, HANNAH PEARCE, MARCUS  
MARTIN, JOHN DOE, JANE DOE 1, JANE  
DOE 2, and JANE DOE 3,

Plaintiffs,

v.

JASON KESSLER, RICHARD SPENCER,  
CHRISTOPHER CANTWELL, JAMES  
ALEX FIELDS, JR., VANGUARD  
AMERICA, ANDREW ANGLIN,  
MOONBASE HOLDINGS, LLC, ROBERT  
“AZZMADOR” RAY, NATHAN DAMIGO,  
ELLIOT KLINE a/k/a/ ELI MOSELY,  
IDENTITY EVROPA, MATTHEW  
HEIMBACH, MATTHEW PARROTT a/k/a  
DAVID MATTHEW PARROTT,  
TRADITIONALIST WORKER PARTY,  
MICHAEL HILL, MICHAEL TUBBS,  
LEAGUE OF THE SOUTH, JEFF SCHOEP,  
NATIONAL SOCIALIST MOVEMENT,  
NATIONALIST FRONT, AUGUSTUS SOL  
INVICTUS, FRATERNAL ORDER OF THE  
ALT-KNIGHTS, MICHAEL “ENOC”  
PEINOVICH, LOYAL WHITE KNIGHTS OF  
THE KU KLUX KLAN, and EAST COAST  
KNIGHTS OF THE KU KLUX KLAN a/k/a  
EAST COAST KNIGHTS OF THE TRUE  
INVISIBLE EMPIRE,

Defendants.

**Civil Action No. 3:17-cv-00072-NKM**

**CONSENT MOTION FOR EXTENSION OF TIME, TO EXCEED PAGE LIMITS, AND  
FOR A BRIEFING SCHEDULE**

1. This Consent Motion is filed on behalf of all Plaintiffs and the following Defendants: Christopher Cantwell, Nathan Damigo, Matthew Heimbach, Identity Evropa, Jason Kessler, Elliot Kline, National Socialist Movement, Nationalist Front, Matthew Parrott, Jeff Schoep, Traditionalist Worker Party, Vanguard America, Robert Ray, Michael Hill, Michael Tubbs, and the League of the South (collectively, “Joining Defendants”).

2. *This paragraph 2 is submitted by Plaintiffs only.* This action was commenced on October 12, 2017. Since that date, Plaintiffs have been endeavoring to serve each of the Defendants, and have encountered difficulties in some cases. Although that point has not yet been reached, Plaintiffs anticipate that they will seek the Court’s assistance in completing service on some Defendants. A summary of the status of service for Defendants other than the Joining Defendants is as follows:

- a. Defendant James Fields has Answered the Complaint.<sup>1</sup>
- b. The Loyal White Knights of the Ku Klux Klan have been served but are not members of the Joining Defendants. The Loyal White Knights of the Ku Klux Klan are currently in default (their answer or motion to dismiss was due November 14, 2017).
- c. Defendant Michael Peinovich has been served and served a motion to dismiss upon the Plaintiffs by mail on November 20, 2017. Counsel for Plaintiffs endeavored to reach Mr. Peinovich to obtain consent in advance of filing this Consent Motion but were unable to reach him.

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<sup>1</sup> Plaintiffs contacted counsel for Mr. Fields, but were unable to receive consent prior to filing. Because Mr. Fields Answered the Complaint, he will not be affected by the motion to dismiss briefing schedule agreed to and reflected herein.

- d. Defendants Andrew Anglin, Augustus Sol Invictus, East Coast Knights, Fraternal Order of the Alt-Knights, Moonbase Holdings, and Richard Spencer have not yet been served.

3. Plaintiffs and Joining Defendants request the following schedule for any answers or motions to dismiss by Defendants who have been served as of the date of this filing (the “Served Defendants”):

- a. All motions to dismiss from Served Defendants who have not already served a response will be due December 7, 2017, regardless of when a specific Served Defendant was served.
- b. Plaintiffs’ opposition to all Served Defendants’ motions to dismiss filed prior to entry of this order, or filed up to and including December 7, 2017, will be due January 5, 2018, regardless of when a specific Served Defendant files or filed their motion to dismiss. Plaintiffs respectfully request permission to exceed the word limit for a response if they choose to consolidate their responses provided that the total word count of Plaintiffs’ consolidated response does not exceed 14,000 words. If Plaintiffs choose to exercise their right under Fed.R.Civ.P.15(a)(1)(B) to amend their Complaint in response to a motion to dismiss, that amended pleading would similarly be due January 5, 2018.
- c. Served Defendants’ replies in support of any motions to dismiss will be due January 19, 2017.

4. Plaintiffs and Joining Defendants propose to submit to the Court an agreed schedule for disclosure and discovery following their Rule 26(f) conference.

Dated: November 22, 2017

/s/ Robert T. Cahill

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